ORIGINAL

1904

FILE No. 16 OF 1904-05.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENT

LEGISLATIVE

DECEMBER

A' Collection Serial Nos. 1—9

Reports under the Merchandise Marks Regulation 1 of 1892.

TABLE OF CONTENTS

Serial No. of File.	Number and date of letter and contents.	References.	Page in A. Progs.
1	From the Deputy Commissioner, Chitaldrug, No. 133, dated the 3rd September 1904. Reports that no action was taken in his district during the past official year under Rule XIV of the Merchandise Marks Regulation.	Progs. No 6305-12—Legis. 1370, dated 6th April 1900.	1
2	From the Deputy Commissioner, Kadur, No. 113, dated the 3rd September 1904. Submits a report on the action taken under the rules in the Kadur District during the past official year.		1
3	From the Deputy Commissioner, Hassan, No. 241, dated the 30th September 1904. States that no special officer was deputed for the work and no breach of the rules has come to notice during the official year 1903-04.		2
4	From the Deputy Commissioner, Bangalore, No. 278, dated the 4th October 1904. States that no cases were launched out under the Regulation, during the year 1903-04.		2
5	From the Deputy Commissioner, Kolar, No. 200, dated the 25th October 1904 States that no breach of the rules was brought to notice during the year 1903-04.		2
6	From the Deputy Commissioner, Mysore, No. 380. dated the 18th November 1904. States that notwithstanding wide publication of the rules, the local weaving community have not complied with the provisions thereof, that the goods manufactured in the district are exposed to sale without their length being duly stamped, that the only way of enforcing the rules is to prosecute some defaulters here and there and that he has ordered a prosecution for a breach of the rules in the Nagamangala Taluk.		2
7	From the Deputy Commissioner, Shimoga, No. 446—297, dated the 28th November 1904. States that the Assistant Superintendent of Police and the Assistant Commissioner of Sagar examined the piece-goods in some of the cloth shops of his district, during the past official year.		3
8	From the Deputy Commissioner, Tumkur, No. 414, dated the 5th December 1904. Forwards a report from the Vice-President of the Tumkur Municipality stating that the imported goods are examined before they are stamped at the Municipal office, and no difference has yet been discovered, and that the goods manufactured in the district bear no trade marks.		3
9	To the Deputy Commissioners of Districts and the Director of Statistics, Government Proceedings No. J. 1633-41—Leg. 16-9, dated the 21st December 1904. Reviews the above reports and calls upon the Deputy Commissioners and Director of Statistics to favor Government with their opinions and suggestions as to the nature of exemption, if any, to be given under the Rules issued under the Merchandise Marks Regulation.		3—4

1904-05.

GENERAL AND REVENUE SECRETARIAT.

LEGISLATION.

NOTES.

FILE No. 16 of 1904-05

Reports under the Merchandise Marks Regulation I of 1892.

From the Deputy Commissioner, Chitaldrug, No. 133, dated 3rd September 1904.

Reports that no action was taken in the Chitaldrug District during the past official year under Rule XIV of the Rules framed under the Merchandise Marks Regulation I of 1892.

2. *From the Deputy Commissioner, Kadur, No. 113, dated 3rd September 1904.*

Submits a report on the action taken under the rules in the Kadur District for the official year 1903-04.

3. *From the Deputy Commissioner, Hassan, No. 241, dated 30th September 1904.*

States that no breach of the rules has come to notice during the official year 1903-04.

4. *From the Deputy Commissioner, Bangalore, No. 278, dated 4th October 1904.*

States that no cases were launched out under the Regulation during the year 1903-04.

5. *From the Deputy Commissioner, Kolar, No. 200, dated 25th October 1904.*

States that no breach of the rules was brought to notice during 1903-04.

6. *From the Deputy Commissioner, Mysore, No. 380, dated 18th November 1904.*

States that notwithstanding wide publication of the rules, the local weaving community have not complied with the provisions thereof, that the goods manufactured in the district are exposed to sale without their length being duly stamped thereon, that the only way of enforcing these rules is to prosecute some defaulters here and there and that he has ordered a prosecution in the Nagamangala Taluk.

7. *From the Deputy Commissioner, Shimoga, No. 446—297, dated 28th November 1904.*

States that the Assistant Superintendent of Police and the Assistant Commissioner at Sagar examined the piece-goods in some of the cloth shops of his district.

8. *From the Deputy Commissioner, Tumkur, No. 414, dated 5th December 1904.*

Forwards a report from the Vice-President of the Tumkur Municipality, stating that the imported goods are examined at the Municipal office before they are stamped, and no difference has yet been discovered, and that the goods manufactured in the district bear no trade marks.

1. The reports were due on the 1st September, but the reports were received in the following order :—

Deputy Commissioner,	Chitaldrug,	5th September.
Ditto	Kadur,	do.
Ditto	Hassan,	5th October.
Ditto	Bangalore,	6th do.
Ditto	Kolar,	29th do.
Ditto	Mysore,	21st November.
Ditto	Shimoga,	29th do.
Ditto	Tumkur,	10th December.

T. K. S.
12—12—04.

S. N.
13—12—04.

2. These reports are neither submitted in time nor prepared in a manner calculated to convey useful information.

3. In the accompanying draft review, I have endeavoured to point out the defects in each report and to lay down the lines on which future reports should be drawn up.

K. S. CHENDRASEKHARA AIYAR.

14—12—04.

Draft is submitted to the Dewan Saheb.

B. K. VENKATA VARADA IYENGAR.

9. *To the Deputy Commissioners of Districts and the Director of Statistics, Government Proceedings No. J. 1633-41—Legis. 16-9, dated the 22nd December 1904.*

Reviews the above reports and calls upon them to favor Government with their opinions and suggestions as to the nature of exemption, if any, to be given under the rules.

Reports under the Merchandise Marks Regulation 1 of 1892.

FILE No 16 of 1904-05.

From H. RAMANUJIENGAR, Esq., Deputy Commissioner, Chitaldrug District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of Mysore, General and Revenue Department, No. 133, dated 3rd September 1904.

Serial No. 1

With reference to Government Proceedings No. 6305-12—1370, dated the 6th November 1900, I have the honor to report that no action was taken in this district during the past official year 1903-04, under Rule XIV of the Rules framed under the Merchandise Marks Regulation I of 1892.

From M. NARAIN RAO, Esq., Deputy Commissioner, Kadur District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department, No. 113, dated Chikmagalur, 3rd September 1904.

Serial No. 2

I have the honor to submit the accompanying report for the official year 1903-04, on the action taken in this district under Rule XIV of the Rules framed under the Mysore Merchandise Marks Regulation No. I of 1892.

(Enclosure to Serial No. 2.)

Report for the official year 1903-04, on the action taken in the Kadur District, under Rule XIV of the Rules framed under the Mysore Merchandise Marks Regulation No. I of 18[illegible] and issued with Government Proceedings No. 7500—Legis. 93, dated 29th December 1899.

The following table shows the results of the Examination conducted:—

Examination conducted by	Locality of shops in which the goods were examined	Description of goods examined	Name of Firm from which goods were imported.	Result of Examination
Deputy Commissioner, Kadur District.	Chikmagalur Town.	Check stamped 24 yards ...	No. 1015, (name of firm not given) ...	Found 18 inches in excess.
		Unbleached longcloth 37½ yards.	Wilson Latham & Co., Manchester ...	Do 9 inches.
		Flannel stamped 37 yards ...	William Anderson & Co., Glasgow ...	Do 36 do.
		Khaki drill 41½ yards ...	(Name of firm not given)	Do 18 do.
		Chadders 5 yards ...	Morajee Gokuldas & Co., Bombay ...	Found correct.
		Bleached longcloth 42 yards ...	No. 1500, Elephant Mark, Rattansay, Chettoorbhoos, New Market, Bombay.	Do.
		Mull stamped 18 yards ...	No. 1613, Graham & Co., Manchester ...	Do.
		Ditto 22 yards ...	No. 74,001, Fleming Shaw & Co., Bombay.	Do.
Amildar, Mudgere.	Mudgere Town.	Cotton check, stamped 24 yards.	No. 681, New Mislan Mills, Bombay ...	Found to be only 23¾ yards.
		Ditto 24 yards ...	No. 101, Gulabland and Mill & Co., Messrs. Manilal Gokul Boi and Company, Bombay.	Do 23⅝ yards.
		Longcloth 40 yards ...	A. A. Mark Thomas Charpie & Co., Bombay.	Do 39¼ do.
		Ditto 40 yards ...	No. 569, Thakur Doss Metta and Co., Bombay.	Found correct.
		(Gada) Unbleached longcloth stamped 38 yards.	The Edward Mills, Bombay, No. 15 ...	Found to be 36½ yards only.
		Chintz (ಚಿಟ್) 40 yards ...	M. A. Hayath Bashasab & Co., Madras, G. mark.	Found correct.

Reports under the Merchandise Marks Regulation I of 1892.

From P. R. W. WETHERALL, Esq., Officiating Deputy Commissioner, Hassan District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department, No. 241, dated 30th September 1904.

Secretary's docket No. J. 811-816—Legis. 16-3, dated 26th September 1904, calling for a brief report on the action taken during the preceding official year under Rule XIV of the Rules framed under the Mysore Merchandise Marks Regulation I of 1892, prescribed in Government Proceedings No. 6305-12—Mis. 1370, dated 6th November 1900. **Serial No. 3**

With reference to the above, has the honor to state that no special officer appears to have been deputed for the work, and no breach of the rules has come to the notice during the official year 1903-04.

From D. DEVARAJ URS, Esq., Deputy Commissioner, Bangalore District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of Mysore, General and Revenue Department, No. 278, dated 4th October 1904.

Adverting to your docket No. J. 811-816—Legis. 16-3, dated 26th September 1904, I have the honor to state that no cases were launched out during the year 1903-04, under the Rules framed under the Merchandise Marks Regulation I of 1892 in this district. **Serial No. 4**

From K. P. PUTTANNA CHETTY, Esq., Deputy Commissioner, Kolar District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of Mysore, General and Revenue Department, No. 200, dated 25th October 1904.

Adverting to Government Proceedings No. 6305-12—Mis. 1370, dated 6th November 1900, I have the honor to state that there were no cases or complaints under the Mysore Merchandise Marks Regulation, during the year 1903-04. Goods are generally examined in this district by the Taluk officers in Municipal towns where the levy of Octroi duty has been sanctioned and no breach of the rules was brought to notice during the year 1903-04. **Serial No. 5**

From M. KANTHARAJ URS, Esq., Deputy Commissioner, Mysore, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of Mysore, General and Revenue Department, No. 380, dated 16th—18th November 1904.

Adverting to your docket No. J. 811-816—Legis. 16-3, dated 26th September 1904, directing that the report for the year 1903-04, on the working of the Merchandise Marks Regulation may be submitted early, I have the honor to state as follows:— **Serial No. 6**

2. From the reports submitted for the previous two years, it may be gathered that despite the wide publication given to the Rules framed under the Regulation, the local weaving community have not complied with the provisions and the goods manufactured in the district are exposed for sale without their length, etc., duly stamped thereon.

3. The reports received from the several Amildars repeat the same tale with regard to goods locally manufactured. In the case of imported foreign-made goods or yarns, the requirements of the Regulation are complied with, and no infringements have been noticed.

4. The Amildar of Nagamangala Taluk having reported that local-made "duptis" were exposed for sale in the local market without the length having been marked and soliciting instructions whether he could prosecute the owners under Section 10 of the Regulation. I have ordered their prosecution, with the main object of enforcing the requirements of law.

5. Most of the goods that are manufactured in the district are cumblis, panches, duptis, sarees, and checks to some extent. Their dimensions are orally stated and the purchasers measure them before purchase. Even hand-made superior cloths that are imported from outside do not bear any stamp. The weavers are ignorant of English and it is not possible for them to have the goods marked. Under these circumstances, I feel doubtful if the weavers could be prosecuted, simply because the kind of cloths manufactured by them come under the definition of 'piece-goods.' I think it will cause a good deal of hardship to these poor weavers if the requirements of the law are strictly enforced in their case. If it is the intention of

Reports under the Merchandise Marks Regulation I of 1892

Government that the rules should be made applicable to the local weavers, a clear ruling seems necessary. The only way of enforcing these rules is to prosecute some defaulters here and there, as no amount of instructions has produced any effect.

From M. S. NARAYAN RAO, Esq., Deputy Commissioner, Shimoga District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department, letter No. 446—297, dated the 28th November 1904.

Serial No. 7

His No. J. 811-816—Legis. 16-3, dated 26th September 1904, drawing attention to Government Proceedings No. 6305-12—Mis. 1370, dated 6th November 1900, and requesting submission of the report therein called for.

With reference to the above, has the honor to state that the marginally noted Assistant Commissioners of this district examined the piece-goods in some of the cloth shops of this district. They state that the length of piece-goods was found equal to that mentioned on the goods in stamp.

Assistant Superintendent of Police, Assistant Commissioner, Sagar.

From K. DORASWAMY IYER, Esq., Deputy Commissioner, Tumkur District, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department, No. 414, dated 5th December 1904.

Serial No. 8

With reference to Secretary's docket No. J. 811-816—Legis. 16-3, dated 26th September 1904, calling for report on the action taken in the district under Rule XIV of the Rules framed under the Merchandise Marks Regulation I of 1892, the undersigned has the honor to forward herewith copy of Report No. 164, dated 2nd instant, received from the Vice-President of the Tumkur Municipality, regarding the trade descriptions on the piece-goods, etc., imported into or manufactured within the Municipality.

(ENCLOSURE TO SERIAL No. 8.)

MEMO.

In reply to the Deputy Commissioner's Official Memo No. 432, dated 12th October 1904, asking to report on the trade descriptions of the piece-goods, etc., imported into or manufactured within the Tumkur Municipality, the undersigned has the honor to state that the undermentioned piece-goods (of foreign-English and Indian manufacture) are chiefly imported into the Tumkur Town:—

1 Checks	2. Dorias	3. Drills	4. Longcloths
5. Mulls	6. Muslins	7 Shirtings	8. Twills

2. These goods, which are liable to Octroi duty, are invariably examined with reference to the trade descriptions marked on them, before they are stamped at the Municipal office and are found on measurement to agree with the descriptions they bear, and no material difference has been discovered.

3. No piece-goods, bearing the merchandise marks of any trader within the district, manufactured within or without the Municipality, excepting white panches and dhotis and female black sadis of coarse texture, which bear no trade description falling under any of the kinds published in Government Notification No. 7500—Legis. 93 of the 29th December 1899.

4. The Gazette Notification and the Rules on the subject, received with the memo under reply are herewith returned.

To Deputy Commissioners of Districts and Director of Statistics, No. J. 1633-41—Legis. 16-9, dated the 21st December 1904.

Serial No. 9

The Government regret to observe that not one of the above reports was submitted by the prescribed date, the 1st September; the delay being particularly bad in the case of the reports from the Mysore, Shimoga and Tumkur Districts.

Reports under the Merchandise Marks Regulation I of 1892.

2. The substance of the reports, too, in several instances, is far from being what it ought to be. Instead of showing what action was taken, several of these reports are merely a record of action omitted to be taken. Thus, the Deputy Commissioner of Chitaldrug thinks he has discharged the duty laid on him by the Government Order of the 6th November 1900, when he has said, without a word of explanation for the omission, that no action was taken in his district, under Rule XIV of the Merchandise Marks Rules. Equally unsatisfactory is the remark of the Deputy Commissioner of Hassan, that no special officer was deputed for the work, and no breach of the rules came to notice ; as if breaches of rules are likely to attract attention of themselves, when District officers neglect the injunction laid down in the rules for the periodical examination of goods. The information required is evaded in the curt observation of the Bangalore Deputy Commissioner, that " No cases were launched out during the year." Nor does a general statement such as that made by the Deputy Commissioner of Kolar, *viz.*, " that goods are generally examined in this district by the Taluk officers in Municipal towns, where the levy of Octroi duty has been sanctioned," form an adequate substitute for precise information as to the various steps taken in the district for the purpose of ascertaining that the requirements of the Regulation and of the rules have been duly carried out. The information furnished by the Deputy Commissioner of Shimoga is meagre ; it should have been mentioned (among other things) how many shops or places there are in all for the manufacture or sale of goods coming under the rules in question, how many of them were examined, and by whom, on what dates, and with what results.

3. The only reports which approach conformity with the requirements of the Government Order, are those relating to the Tumkur, Kadur and Mysore Districts. But the memorandum submitted by the Deputy Commissioner of Tumkur relates only to the Head-quarter Municipality, and is silent as to the rest of the district.

4. The Deputy Commissioner of the Mysore District brings to notice that notwithstanding the publicity given to the rules, the local weavers have not complied with the provisions thereof, and that the goods manufactured in the district are exposed for sale without their length, etc., being duly stamped on them. He represents at the same time that, as the weavers do not know English, it is not possible for them to have the goods marked, and that a strict enforcement of the law will cause hardship to these men, who are in most instances poor and ignorant. Government consider that there is some force in this representation, but that, in order to avoid invidious treatment, any exemption granted should be rather with respect to the kind, quality or length of the goods than to the means of the men who manufacture them. Before, however, taking any action in the matter, Government will be glad to have the opinions and suggestions of all Deputy Commissioners and of the Director of Statistics in the matter.

5. The Deputy Commissioner of Kadur submits in a tabular form, the results of certain examinations held by himself and by the Amildar of Mudgere. It is hoped that similar examinations will be made by other officers in other parts of the district during the current official year ; and that whatever information is not purely statistical will be set out in the form of text, the length of which, if placed in type, should not exceed two pages of printed matter.